

Convention for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field. Geneva, 27 July 1929.

(List of Contracting Parties)

Being equally animated by the desire to lessen, so far as lies in their power, the evils inseparable from war and desiring, for this purpose, to perfect and complete the provisions agreed to at Geneva on 22 August 1864, and 6 July 1906, for the amelioration of the condition of the wounded and sick in armies in the field,

Have resolved to conclude a new Convention for that purpose and have appointed as their Plenipotentiaries:

(Here follow the names of Plenipotentiaries)

Who, after having communicated to each other their full powers, found in good and due form, have agreed as follows.

CHAPTER I

WOUNDED AND SICK

Article 1. Officers and soldiers and other persons officially attached to the armed forces who are wounded or sick shall be respected and protected in all circumstances; they shall be treated with humanity and cared for medically, without distinction of nationality, by the belligerent in whose power they may be.

Nevertheless, the belligerent who is compelled to abandon wounded or sick to the enemy, shall, as far as military exigencies permit, leave with them a portion of his medical personnel and material to help with their treatment.

Art. 2. Except as regards the treatment to be provided for them in virtue of the preceding Article, the wounded and sick of an army who fall into the hands of the enemy shall be prisoners of war, and the general provisions of international law concerning prisoners of war shall be applicable to them.

Belligerents shall, however, be free to prescribe, for the benefit of wounded or sick prisoners such arrangements as they may think fit beyond the limits of the existing obligations.

Art. 3. After each engagement the occupant of the field of battle shall take measures to search for the wounded and dead, and to protect them against pillage and maltreatment.

Whenever circumstances permit, a local armistice or a suspension of fire shall be arranged to permit the removal of the wounded remaining between the lines.

Art. 4. Belligerents shall communicate to each other reciprocally, as soon as possible, the names of the wounded, sick and dead, collected or discovered, together with any indications which may assist in their identification.

They shall establish and transmit to each other the certificates of death.

They shall likewise collect and transmit to each other all articles of a personal nature found on the field of battle or on the dead, especially one half of their identity discs, the other half to remain attached to the body.

They shall ensure that the burial or cremation of the dead is preceded by a careful, and if possible medical, examination of the bodies, with a view to confirming death, establishing identity and enabling a report to be made.

They shall further ensure that the dead are honourably interred, that their graves are respected and marked so that they may always be found.

To this end, at the commencement of hostilities, they shall organize officially a graves registration service, to render eventual exhumations possible, and to ensure the identification of bodies whatever may be the subsequent site of the grave.

After the cessation of hostilities they shall exchange the list of graves and of dead interred in their cemeteries and elsewhere.

Art. 5. The military authorities may appeal to the charitable zeal of the inhabitants to collect and afford medical assistance under their direction to the wounded or sick of armies, and may accord to persons who have responded to this appeal special protection and certain facilities.

CHAPTER II

MEDICAL FORMATIONS AND ESTABLISHMENTS

Art. 6. Mobile medical formations, that is to say, those which are intended to accompany armies in the field, and the fixed establishments of the medical service shall be respected and protected by the belligerents.

Art. 7. The protection to which medical formations and establishments are entitled shall cease if they are made use of to commit acts harmful to the enemy.

Art. 8. The following conditions are not considered to be of such a nature as to deprive a medical formation or establishment of the protection guaranteed by Article 6:

1. That the personnel of the formation or establishment is armed, and that they use the arms in their own defence or in that of the sick and wounded in charge;
2. That in the absence of armed orderlies the formation or establishment is protected by a piquet or by sentries;
3. That small arms and ammunition taken from the wounded and sick, which have not yet been transferred to the proper service, are found in the formation or establishment;
4. That personnel and material of the veterinary service are found in the formation or establishment, without forming an integral part of the same.

CHAPTER III

PERSONNEL

Art. 9. The personnel engaged exclusively in the collection, transport and treatment of the wounded and sick, and in the administration of medical formations and establishments, and chaplains attached to armies, shall be respected and protected under all circumstances. If they fall into the hands of the enemy they shall not be treated as prisoners of war.

Soldiers specially trained to be employed, in case of necessity, as auxiliary nurses or stretcher-bearers for the collection, transport and treatment of the wounded and sick, and furnished with a proof of identity, shall enjoy the same treatment as the permanent medical personnel if they are taken prisoners while carrying out these functions.

Art. 10. The personnel of Voluntary Aid Societies, duly recognized and authorized by their Government, who may be employed on the same duties as those of the personnel mentioned in the first paragraph of Article 9, are placed on the same footing as the personnel contemplated in that paragraph, provided that the personnel of such societies are subject to military law and regulations.

Each High Contracting Party shall notify to the other, either in time of peace or at the commencement of or during the course of hostilities, but in every case before actually employing them, the names of the societies which it has authorized, under its responsibility, to render assistance to the regular medical service of its armed forces.

Art. 11. A recognized society of a neutral country can only afford the assistance of its medical

personnel and formations to a belligerent with the previous consent of its own Government and the authorization of the belligerent concerned.

The belligerent who accepts such assistance is bound to notify the enemy thereof before making any use of it.

Art. 12. The persons designated in Articles 9, 10 and 11 may not be retained after they have fallen into the hands of the enemy.

In the absence of an agreement to the contrary, they shall be sent back to the belligerent to which they belong as soon as a route for their return shall be open and military considerations permit.

Pending their return they shall continue to carry out their duties under the direction of the enemy; they shall preferably be engaged in the care of the wounded and sick of the belligerent to which they belong.

On their departure, they shall take with them the effects, instruments, arms and means of transport belonging to them.

Art. 13. Belligerents shall secure to the personnel mentioned in Articles 9, 10 and 11, while in their hands, the same food, the same lodging, the same allowances and the same pay as are granted to the corresponding personnel of their own armed forces.

At the outbreak of hostilities the belligerents will notify one another of the grades of their respective medical personnel.

CHAPTER IV

BUILDINGS AND MATERIAL

Art. 14. Mobile medical formations, of whatsoever kind, shall retain, if they fall into the hands of the enemy, their equipment and stores, their means of transport and the drivers employed.

Nevertheless, the competent military authority shall be free to use the equipment and stores for the care of the wounded and sick; it shall be restored under the conditions laid down for the medical personnel, and as far as possible at the same time.

Art. 15. The buildings and material of the fixed medical establishments of the army shall be subject to the laws of war, but may not be diverted from their purpose so long as they are necessary for the wounded and sick.

Nevertheless, the commanders of troops in the field may make use of them, in case of urgent military necessity, provided that they make previous arrangements for the welfare of the wounded and sick who are being treated therein.

Art. 16. The buildings of aid societies which are admitted to the privileges of the Convention shall be regarded as private property.

The material of these societies, wherever it may be, shall similarly be considered as private property.

The right of requisition recognized for belligerents by the laws and customs of war, shall only be exercised in case of urgent necessity and only after the welfare of the wounded and sick has been secured.

CHAPTER V

MEDICAL TRANSPORT

Art. 17. Vehicles equipped for the evacuation of wounded and sick, proceeding singly or in convoy, shall be treated as mobile medical formations, subject to the following special provisions:

A belligerent intercepting vehicles of medical transport, singly or in convoy, may, if military

exigencies demand, stop them, and break up the convoy, provided he takes charge in every case of the wounded and sick who are in it. He can only use the vehicles in the sector where they have been intercepted, and exclusively for medical requirements. These vehicles, as soon as they are no longer required for local use, shall be given up in accordance with the conditions laid down in Article 14.

The military personnel in charge of the transport and furnished for this purpose with authority in due form, shall be sent back in accordance with the conditions prescribed in Article 12 for medical personnel, subject to the condition of the last paragraph of Article 18.

All means of transport specially organized for evacuation and the material used in equipping these means of transport belonging to the medical service shall be restored in accordance with the provisions of Chapter IV.

Military means of transport other than those of the medical service may be captured, with their teams.

The civilian personnel and all means of transport obtained by requisition shall be subject to the general rules of international law.

Art. 18. Aircraft used as means of medical transport shall enjoy the protection of the Convention during the period in which they are reserved exclusively for the evacuation of wounded and sick and the transport of medical personnel and material.

They shall be painted white and shall bear, clearly marked, the distinctive emblem prescribed in Article 19, side by side with their national colours, on their lower and upper surfaces.

In the absence of special and express permission, flying over the firing line, and over the zone situated in front of clearing or dressing stations, and generally over all enemy territory or territory occupied by the enemy, is prohibited.

Medical aircraft shall obey every summons to land.

In the event of a landing thus imposed, or of an involuntary landing in enemy territory and territory occupied by the enemy, the wounded and sick, as well as the medical personnel and material, including the aircraft, shall enjoy the privileges of the present Convention.

The pilot, mechanics and wireless telegraph operators captured shall be sent back, on condition that they shall be employed until the close of hostilities in the medical service only.

CHAPTER VI

THE DISTINCTIVE EMBLEM

Art. 19. As a compliment to Switzerland, the heraldic emblem of the red cross on a white ground, formed by reversing the Federal colours, is retained as the emblem and distinctive sign of the medical service of armed forces.

Nevertheless, in the case of countries which already use, in place of the red cross, the red crescent or the red lion and sun on a white ground as a distinctive sign, these emblems are also recognized by the terms of the present Convention.

Art. 20. The emblem shall figure on the flags, armbands, and on all material belonging to the medical service, with the permission of the competent military authority.

Art. 21. The personnel protected in pursuance of Articles 9 (paragraph 1), 10 and 11, shall wear, affixed to the left arm, an armband bearing the distinctive sign, issued and stamped by military authority.

The personnel mentioned in Article 9, paragraphs 1 and 2, shall be provided with a certificate of identity, consisting either of an entry in their small book (paybook) or a special document.

The persons mentioned in Articles 10 and 11 who have no military uniform shall be furnished by the competent military authority with a certificate of identity with photograph, certifying their status as medical personnel.

The certificates of identity shall be uniform and of the same pattern in each army.

In no case may the medical personnel be deprived of their armbands or the certificates of identity belonging to them.

In case of loss they have the right to obtain duplicates.

Art. 22. The distinctive flag of the Convention shall be hoisted only over such medical formations and establishments as are entitled to be respected under the Convention and with the consent of the military authorities. In fixed establishments it shall be, and in mobile formations it may be, accompanied by the national flag of the belligerent to whom the formation or establishment belongs.

Nevertheless, medical formations which have fallen into the hands of the enemy, so long as they are in that situation, shall not fly any other flag than that of the Convention.

Belligerents shall take the necessary steps, so far as military exigencies permit, to make clearly visible to the enemy forces, whether land, air or sea, the distinctive emblems indicating medical formations and establishments, in order to avoid the possibility of any offensive action.

Art. 23. The medical units belonging to neutral countries which shall have been authorized to lend their services under the conditions laid down in Article II, shall fly, along with the flag of the Convention, the national flag of the belligerent to whose army they are attached.

They shall also have the right, so long as they shall lend their services to a belligerent, to fly their national flag.

The provisions of the second paragraph of the preceding article are applicable to them.

Art. 24. The emblem of the red cross on a white ground and the words "Red Cross" or "Geneva Cross" shall not be used either in time of peace or in time of war, except to protect or to indicate the medical formations and establishments and the personnel and material protected by the Convention.

The same shall apply, as regards the emblems mentioned in Article 19, paragraph 2, in respect of the countries which use them.

The Voluntary Aid Societies mentioned in Article 10, may, in accordance with their national legislation, use the distinctive emblem in connection with their humanitarian activities in time of peace.

As an exceptional measure, and with the express authority of one of the national societies of the Red Cross (Red Crescent, Red Lion and Sun), use may be made of the emblem of the Convention in time of peace to mark the position of aid stations exclusively reserved for the purpose of giving free treatment to the wounded or the sick.

CHAPTER VII

APPLICATION AND EXECUTION OF THE CONVENTION

Art. 25. The provisions of the present Convention shall be respected by the High Contracting Parties in all circumstances.

If, in time of war, a belligerent is not a party to the Convention, its provisions shall, nevertheless, be binding as between all the belligerents who are parties thereto.

Art 26. The Commanders-in-Chief of belligerent armies shall arrange the details for carrying out the preceding articles as well as for cases not provided for in accordance with the instructions of their respective Governments and in conformity with the general principles of the present Convention.

Art. 27. The High Contracting Parties shall take the necessary steps to instruct their troops, and in particular the personnel protected, in the provisions of the present Convention, and to bring them to the notice of the civil population.

CHAPTER VIII

SUPPRESSION OF ABUSES AND INFRACTIONS

Art. 28. The Governments of the High Contracting Parties whose legislation is not at present adequate for the purpose, shall adopt or propose to their legislatures the measures necessary to prevent at all times:

(a) The use of the emblem or designation "Red Cross" or "Geneva Cross" by private individuals or associations, firms or companies, other than those entitled thereto under the present Convention, as well as the use of any sign or designation constituting an imitation, for commercial or any other purposes;

(b) By reason of the compliment paid to Switzerland by the adoption of the reversed Federal colours, the use by private individuals or associations, firms or companies of the arms of the Swiss Confederation or marks constituting an imitation, whether as trademarks or as parts of such marks, for a purpose contrary to commercial honesty, or in circumstances capable of wounding Swiss national sentiment.

The prohibition in (a) of the use of marks or designations constituting an imitation of the emblem or designation of "Red Cross" or "Geneva Cross," as well as the prohibition in (b) of the use of the arms of the Swiss Confederation or marks constituting an imitation, shall take effect as from the date fixed by each legislature, and not later than five years after the coming into force of the present Convention. From the date of such coming into force, it shall no longer be lawful to adopt a trademark in contravention of these rules.

Art. 29. The Governments of the High Contracting Parties shall also propose to their legislatures should their penal laws be inadequate, the necessary measures for the repression in time of war of any act contrary to the provisions of the present Convention.

They shall communicate to one another, through the Swiss Federal Council, the provisions relative to such repression not later than five years from the ratification of the present Convention.

Art. 30. On the request of a belligerent, an enquiry shall be instituted, in a manner to be decided between the interested parties, concerning any alleged violation of the Convention; when such violation has been established the belligerents shall put an end to and repress it as promptly as possible.

FINAL PROVISIONS

Art. 31. The present Convention, which shall bear this day's date, may be signed, up to the 1 February 1930, on behalf of all the countries represented at the Conference which opened at Geneva on 1 July 1929, as well as by countries not represented at that Conference but which were parties to the Geneva Conventions of 1864 and 1906.

Art. 32. The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited at Berne.

A 'procès-verbal' of the deposit of each instrument of ratification shall be drawn up, one copy of which, certified to be correct, shall be transmitted by the Swiss Federal Council to the Governments of all countries on whose behalf the Convention has been signed, or whose accession has been notified.

Art. 33. The present Convention shall come into force six months after not less than two instruments of ratification have been deposited.

Thereafter, it shall enter into force for each High Contracting Party six months after the deposit of its instrument of ratification.

Art. 34. The present Convention shall replace the Conventions of 22 August 1864, and 6 July 1906, in relations between the High Contracting Parties.

Art. 35. From the date of its coming into force, the present Convention shall be open to accession duly notified on behalf of any country on whose behalf this Convention has not been signed.

Art. 36. Accessions shall be notified in writing to the Swiss Federal Council, and shall take effect six months after the date on which they are received.

The Swiss Federal Council shall communicate the accessions to the Governments of all the countries on whose behalf the Convention has been signed or whose accession has been notified.

Art. 37. A state of war shall give immediate effect to ratifications deposited and accessions notified by the belligerent Powers before or after the outbreak of hostilities. The communication of ratifications or accessions received from Powers in a state of war shall be made by the Swiss federal Council by the quickest method.

Art. 38. Each of the High Contracting Parties shall be at liberty to denounce the present Convention. The denunciation shall not take effect until one year after the notification thereof in writing has been made to the Swiss Federal Council. The latter shall communicate such notification to the Governments of all the High Contracting Parties.

The denunciation shall only have effect in respect of the High Contracting Party which has made notification thereof.

Moreover, this denunciation shall not take effect during a war in which the denouncing Power is involved. In such a case the present Convention shall continue to be binding beyond the period of one year, until the conclusion of peace.

Art. 39. A certified copy of the present Convention shall be deposited in the archives of the League of Nations by the Swiss Federal Council. Similarly, ratifications, accessions and denunciations which shall be notified to the Swiss Federal Council shall be communicated by them to the League of Nations.

In witness whereof, the above-named Plenipotentiaries have signed the present Convention.

Done at Geneva the twenty-seventh July, one thousand nine hundred and twenty-nine, in a single copy, which shall remain deposited in the archives of the Swiss Confederation, and of which copies, certified to be correct, shall be transmitted to the Governments of all the countries invited to the Conference.

(Here follow signatures)